

September 26, 2002

ENERGY & ENVIRONMENT
COMMITTEE
REPORT NO. 13

ALL MEMBERS PRESENT.

1. RESOLVED, that the following item is hereby received and filed.

	Item	Page	-2002	(Comm. 17E-28)
a.	COUNTY EXECUTIVE: ECSD No. 6 – Wilmuth Pumping Station Evaluation. (5-0)			

2. RESOLVED, that the following items are hereby received, filed and referred to the REGIONALISM AD HOC COMMITTEE.

	Item	Page	-2002	(Comm. 16M-2)
a.	NYPA: Letter to Clerk of Legislature Re: Update on Power Authority's Alternative Licensing Procedure. (5-0)			

	Item	Page	-2002	(Comm. 16M-22)
b.	VAN NESS FELDMAN: Copy of Letter to FERC Re: Notice of Intent to File Application for New License for Niagara Power Project. (5-0)			

3.

Item	Page	-2002	(Comm. 16E-54)
COUNTY EXECUTIVE			

WHEREAS, the County of Erie has awarded Contract No. 39H to C.M.H. Co, Inc on July 5, 2001; and

WHEREAS, the Erie County Division of Sewerage Management has advised the Legislature that scheduled improvements are now completed; and

WHEREAS, the Erie County Division of Sewerage Management has recommended the final acceptance of Contract No.39H in the amount of \$324,815.08, which includes the Final Change Order, a decrease of \$49,563.92, and the processing of the retention payment if the amount of \$16,240.76.

NOW, THEREFORE, BE IT

RESOLVED, that Contract No.39H between the County of Erie/Erie County Sewer District No.2 and C.M.H. Co., Inc., 2067 Old Union Road, Cheektowaga, New York 14227 be accepted in the amount of \$324,815.08 which includes the Final Change Order, a decrease of \$49,563.92; and be it further

RESOLVED, that the Erie County Comptroller is hereby authorized and directed to finalize Contract No.39H between the County of Erie/Erie County Sewer District No.2 and C.M.H. Co., Inc., in the amount of \$324,815.08 and make final payment in the amount of \$16,240.76, from Erie County Sewer District No.2 Bond Account, Fund No.430, Project No.913, and return the unused portion of \$49,563.92 to Unallocated Account; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send two (2) certified copies of this Resolution to Charles J. Alessi, P.E., Deputy Commissioner, Department of Environment and Planning, and one (1) certified copy to each to Gregory Dudek, Assistant County Attorney Joseph Passafiume, Director of Budget Management and Finance, and Nancy Naples, Erie County Comptroller.

(5-0)

4. Item Page -2002 (Comm. 17E-24)

COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Environment and Planning monitors the Erie County Sport Fishery Promotion Program; and

WHEREAS, Jim Hanley's Northeast Outdoors, Inc. was selected as the Erie County Sport Fishery Promotion Program vendor having been selected in response to requests for proposals (RFP) in 2000; and

WHEREAS, Erie County is desirous of developing a joint television promotion program with Niagara County that promotes regional sport fishing resources in the area; and

WHEREAS, Erie County supports promoting the regions fishery assets to a national audience to increase tourism and economic development opportunities locally.

NOW, THEREFORE BE IT

RESOLVED, that the Erie County Executive is hereby authorized to execute a first amendatory agreement to the January 1, 2002 agreement with Jim Hanley's Northeast Outdoors, Inc. increasing the authorized contract amount from \$65,000 to \$80,000; and be it further

RESOLVED, that this Honorable Body does hereby authorize the use of \$15,000 from the Erie County Department of Environment and Planning Budget Fund 110, Project 945, Department 620, Account 830, sub-account 0764, Sport Fishing Promotion Program for an Erie/Niagara Region Sport Fishery Promotion Program; and be it further

RESOLVED, that the requirements for request for proposals in Section 19.08 of the Erie County Administrative Code are hereby waived since this special service must be provided immediately and it is not deemed feasible nor cost effective for the County to undertake this process; and be it further

RESOLVED, that said agreement shall be for expanding the scope of the 2002 Erie County Sport Fishing Promotion Program; and be it further

RESOLVED, that upon adoption of this resolution, the Clerk of the Legislature is hereby directed to forward certified copies of this resolution to the Commissioner of the Department of Environment and Planning, the County Comptroller, and the Director of the Division of Budget, Management and Finance.

(5-0)

5. Item Page -2002 (Comm. 17E-25)

COUNTY EXECUTIVE

WHEREAS, the New York State Energy Research and Development Authority (NYSERDA) has offered a grant to Erie County Sewer District No. 6 in accordance with its Program Opportunity Notice (PON) No. 601-01 for performance based incentives to implement submetering of various Erie County Wastewater Treatment Plants processes; and

WHEREAS, the Department of Environment and Planning has advised the County Legislature that there are benefits to participating in this NYSERDA Program; and

WHEREAS, it is anticipated that Erie County Sewer District No. 6 will appropriate \$25,000 as its cost share towards funding for the energy program at the Lackawanna Wastewater Treatment Plant.

NOW, THEREFORE, BE IT

RESOLVED, that the County's Department of Environment and Planning be authorized and directed to participate with NYSERDA under PON No. 601-01 in the estimated amount of \$25,000; and be it further

RESOLVED, that an agreement with NYSERDA and/or its designated engineer to provide submetering of the Lackawanna Wastewater Treatment Plant in Erie County Sewer District No.6 is hereby approved; and be it further

RESOLVED, that these costs will be appropriated from Sewer District Fund Balance 220 854 840 698 105, Contractual Services 220 854 840 830; and be it further

RESOLVED, that the County Executive be, and hereby is, authorized to execute said agreement subject to approval as to form by the County Attorney and approval as to content by the Commissioner of the Department of Environment and Planning; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send two certified copies of this resolution to Charles J. Alessi, P.E., Deputy Commissioner, Department of Environment and Planning, one copy to Nancy Naples, County Comptroller, Gregory Dudek, Assistant County Attorney, and Joseph Passafiume, Director, Budget, Management and Finance.

(5-0)

6. Item Page -2002 (Comm. 17E-26)

COUNTY EXECUTIVE

WHEREAS, the New York State Energy Research and Development Authority (NYSERDA) has offered a grant to Erie County Sewer District No. 2 in accordance with its Program Opportunity Notice (PON) No. 601-01 for performance based incentives to implement submetering of various Erie County Wastewater Treatment Plants processes; and

WHEREAS, the Department of Environment and Planning has advised the County Legislature that there are benefits to participating in this NYSERDA Program; and

WHEREAS, it is anticipated that Erie County Sewer District No. 2 will appropriate \$25,000 as its cost share towards funding for the energy program at the Big Sister Wastewater Treatment Plant.

NOW, THEREFORE, BE IT

RESOLVED, that the County's Department of Environment and Planning be authorized and directed to participate with NYSERDA for funding under PON No. 601-01 in the estimated amount of \$25,000; and be it further

RESOLVED, that an agreement with NYSERDA and/or its designated engineer to provide submetering of the Big Sister Creek Treatment Plant in Erie County Sewer District No. 2 is hereby approved; and be it further

RESOLVED, that these costs will be appropriated from Sewer District Fund Balance 220 852 820 698 105, Contractual Services 220 852 820 830; and be it further

RESOLVED, that the County Executive be, and hereby is, authorized to execute said agreement subject to approval as to form by the County Attorney and approval as to content by the Commissioner of the Department of Environment and Planning; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send two certified copies of this resolution to Charles J. Alessi, P.E., Deputy Commissioner, Department of Environment and Planning, one copy to Nancy Naples, County Comptroller, Gregory Dudek, Assistant County Attorney, and Joseph Passafiume, Director, Budget, Management and Finance.

(5-0)

7. Item Page -2002 (Comm. 17E-27)

COUNTY EXECUTIVE

WHEREAS, the New York State Energy Research and Development Authority (NYSERDA) has offered a grant to the Erie County/Southtowns Sewage Treatment Agency in accordance with its Program Opportunity Notice (PON) No. 601-01 for performance based incentives to implement submetering of various Erie County Wastewater Treatment Plant processes; and

WHEREAS, the Department of Environment and Planning has advised the County Legislature that there are benefits to participating in this NYSERDA Program; and

WHEREAS, it is anticipated that the Erie County Southtowns Sewage Treatment Agency will appropriate \$25,000 as its cost sharing towards funding for the energy program at the Southtowns Advanced Wastewater Treatment Plant.

NOW, THEREFORE, BE IT

RESOLVED, that the County's Department of Environment and Planning be authorized and directed to participate with NYSERDA under PON No. 601-01 in the estimated amount of \$25,000; and be it further

RESOLVED, that an agreement with NYSERDA and/or its designated engineer to provide submetering of the Southtowns Advanced Wastewater Treatment Plant in Erie County Sewer District No. 3 is hereby approved; and be it further

RESOLVED, that these costs will be appropriated from Sewer District Fund Balance 220 853 830 698 105, Contractual Services 220 853 830 830; and be it further

RESOLVED, that the County Executive be, and hereby is, authorized to execute said agreement subject to approval as to form by the County Attorney and approval as to content by the Commissioner of the Department of Environment and Planning; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send two certified copies of this resolution to Charles J. Alessi, P.E., Deputy Commissioner, Department of Environment and Planning, one copy of Nancy Naples, County Comptroller, Gregory Dudek, Assistant County Attorney, and Joseph Passafiume, Director, Budget, Management and Finance.
(5-0)

JOHN W. GREENAN
CHAIRMAN